

**TOWN OF EAST HAMPTON  
AGENDA REPORT**

Item to be presented by: TLS

DATE: June 17, 2015  
SUBJECT: 2015/16 Public Water System Operating Budget & Water Rate Recommendation  
First Reading  
DEPARTMENT: WPCA

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**RECOMMENDED ACTION** –to approve the 2015/16 Operating Budget for the two Community Water Systems owned by the Town and operated by the WPCA

**BACKGROUND** – The operating budget for the two (2) public water systems has been recommended by the WPCA at its' special meeting of June 16, 2015. As with past budgets it was developed based upon current operating conditions and known operational changes necessary to operate the systems as efficiently as possible. The recommended budget for both systems totals \$122,415.00 and represents an increase of 2.87% or \$3,421.00 over last year. Management's recommended budget was increased by the WPCA to include the addition of \$1,400.00 in account #5110–Full Time Salaries. Regulation requires a portion of the Public Utilities Administrator's position be funded by the Water fund so as not to be completely funded by sewer user fees.

**Village Center Water System**

The VCWS continues to perform within parameters. The treatment plant, built in 2009, has begun to experience an increase in call-outs as a result of mechanical failures; to date these issues have been minor, within budget and has not affected water quality.

During the year we added one new customer, Chatham Historical Society, bringing the total to 30 customers. The VCWS has approximately 7,000 gallons per day of available capacity.

**Royal Oaks Water System**

ROWS continues to suffer from deteriorating raw water quality. In September 2014 well pump #3 failed after 5 years of service. Reconditioning the well (Aqua Free process) and installing a new pump totaled \$5,500.48.

We continue to increase the iron and manganese filter capacity at the plant with every change-out of the media. Currently our treatment capacity is 7.5 cubic feet. With the next change-out it will be increased to 9.0 cubic feet, a full 3.0 times over what was originally installed by the developer. This will be the last increase as there is physically no additional room in the building.

We have included the required Consumer Confidence report that provides additional information about the systems.

2015/16 Public Water System Operating Budget  
June 17, 2015

WATER RATE RECOMMENDATION:

The 2015/16 budget of \$122,415.00 will require an increase in water rates as a result of the Town's desire to make the water systems self-sufficient and eliminate the historical Town Contribution.

The WPCA, over several meetings, developed multiple scenarios and recommended the following to meet their charge:

2.87% residential commodity increase along with a \$5.00 residential meter increase and a 3.5X increase in the institutional commodity charge along with 4.1X increase in the institutional meter charge.

The Authority also provided two additional scenarios (attached). These were considered the best alternatives out of over 10 scenarios. The following table captures the key information:

Avg. Monthly Cost	VCWS Residential	ROWS Residential	Center School	Memorial School
Current Rates	\$43.75	\$43.75	\$383.64	\$627.60
WPCA Recommendation.	\$49.12	\$49.12	\$1,817.28	\$2,840.92
Exhibit A	\$72.22	\$72.22	\$861.39	\$1,204.60

The WPCA Recommended Rates include an increase in residential commodity charge commensurate with the proposed expense budget increase and a \$5 per month increase on residential meter charge to begin to increase residential rates to match the fixed expenses associated with operating the community water systems. The institutional commodity charge and meter charge are proposed to increase to levels necessary to achieve a balanced budget without a Town Contribution.

Exhibit A rates include an equal increase in the residential and institutional monthly meter charge required to cover the fixed expenses associated with operating the community water systems, without utilizing the available 7,000 gallons per day at the Village Center Water System.

ALTERNATIVE ACTIONS – at the discretion of the Town Council

FISCAL IMPACT – variable depending upon the ultimate action of the Town Council.



Office of the WATER POLLUTION CONTROL AUTHORITY

Tim Smith

tsmith@easthamptonct.org

## *2015–2016 Public Water Systems Operation Budget*

**63-59-0000-XXXX VCWS  
63-59-0590-XXXX ROWS**

*Recommended by WPCA: June 16, 2015*

*First Reading Date: June 23, 2015*

*Public Hearing Date: July 7, 2015*

*Town Council Adoption: July 14, 2015*

*Drop in Location:*  
20 Gildersleeve Drive  
East Hampton, CT 06424



## Community Water Systems Expense Budget 2015-16

### EXPENDITURES

	Approved 14-15 Budget	Proposed 15-16 Budget	\$ +/-	% +/-
5110 - Full Time Salaries	0	1,400	1,400	#DIV/0!
5120 - P/T Seasonal P/R	5,128	5,245	117	2.28%
5220 - Social Security (.062)	318	325	0	0.00%
5122 - Medicare (.0145)	74	76	2	2.77%
5319 - Meetings/Conf.	1,075	1,075	0	0.00%
5330 - Prof/Tech Services	5,786	5,453	(333)	-5.76%
5430 - Bldg & Equip. Mnt & Rep.	18,300	20,550	2,250	12.30%
5436 - UTT/Oper. Labor	27,038	27,038	0	0.00%
5520 - Prop/Liab Ins	3,087	3,398	0	0.00%
5530 - Communications	1,800	1,900	100	5.56%
5540 - Newspaper Advertising	150	200	50	33.33%
5580 - Travel	6,000	3,000	(3,000)	-50.00%
5590 - Other Purch. Services	11,573	12,291	718	6.20%
5611 - Off Supp/Minor Equip/Material	200	200	0	0.00%
5615 - Uniform Allowance	300	0	(300)	-100.00%
5622 - Electricity	18,900	19,500	600	3.17%
5627 - Motor Fuel (Veh & Gen)	1,250	1,250	0	0.00%
5680 - Chemicals	10,000	11,500	1,500	15.00%
5690 - Other Supp/Materials	900	900	0	0.00%
5744 - Computer Equip	75	75	0	0.00%
5810 - Dues & Fees	1,140	1,140	0	0.00%
5923 - Oper. Transfer to S.F.	2,500	2,500	0	0.00%
5980 - Res for Cap & NR	1,000	1,000	0	0.00%
5990 - Contingency	2,400	2,400	0	0.00%
<b>TOTAL</b>	<b>118,994</b>	<b>122,415</b>	<b>3,421</b>	<b>2.87%</b>



## 2015-16 Individual Water System Expense Breakdown

EXPENDITURES	25%			
	TCWS	ROWS	Mem Sch	Total
5110 - Full Time Salaries	700	500	200	1,400
5120 - P/T Seasonal P/R	2,623	1,967	656	5,245
5220 - Social Security (.062)	163	122	41	325
5122 - Medicare (.0145)	38	29	10	76
5319 - Meetings/Conf.	500	406	169	1,075
Certification Training	125	125	75	
Conf./Seminars	375	281	94	
5330 - Prof/Tech Services	2,616	2,164	672	5,453
DOHS Water Quality Testing	2,406	1,874	647	
Misc. Engr.	n/a	n/a	n/a	
B102 Tank Insp/engr	n/a	n/a	n/a	
Annual Auditing Reports	210	290	25	
5430 - Bldg & Equip. M & Rep.	4,900	14,300	1,350	20,550
JF Labor	250	500		
well pump replacement	1,000	1,000	1,000	
Dist/WTP system maint.	2,500	1,000	150	
plumbing parts & repairs	400	800	200	
Greensand Solenoid Valves		2,500		
Greensand media changeout		2,750		
Emrg. Gen. Maint. & An. Insp.	750	750		
Storage tank cleaning	n/a	n/a	n/a	
Aqua Guard		5,000		
5436 - UT/Oper. Labor	13,519	13,519		27,038
5520 - Prop/Liab Ins (Inc 10%)	1,197	1,931	270	3,398
5530 - Communications	650	1,100	150	1,900
5540 - Newspaper Advertising	100	100		200
5580 - Travel	1,500	1,500		3,000
5590 - Other Purch. Services	3,367	8,818	105	12,291
Billing Administration (112 cust.)	2,492	6,593	80	
Shut offs/Final bills	100	600		
Locate leaks/R & R meter & radio	150	300		
Flushing water mains 2X/yr	450	1,300		
Annual Cross Connection Report	175	25	25	
5611 - Office Supplies	100	75	25	200
5615 - Uniform Allowance	0	0	0	-
5622 - Electricity	9,750	9,750		19,500
5627 - Motor Fuel (Veh & Gen)	600	600	50	1,250
Veh. \$200/200/50 - Gen. \$400/400				
5680 - Chemicals	1,750	7,500	2,250	11,500
5690 - Other Supp/Materials	550	250	100	900
5744 - Computer Equip	25	25	25	75
5810 - Dues & Fees	570	521	49	1,140
AWWA	45	34	11	
CWWA	150	113	38	
DEEP Annual Diversion permit	250	250		
DEEP Generator Permit	125	125		
5923 - Oper. Transfer to S.F.	1,000	1,000	500	2,500
5980 - Res for Cap & NR	500	375	125	1,000
5990 - Contingency	1,200	900	300	2,400
<b>TOTAL</b>	<b>47,918</b>	<b>67,452</b>	<b>7,045</b>	<b>122,415</b>
Approved Operating Budget 14-15	47,603	64,859	6,531	\$ 118,993
"+/-	315	2,593	514	3,422
"+/-	0.66%	4.00%	7.87%	2.88%

**CURRENT RATES**  
**East Hampton Water Pollution Control Authority**  
**Community Water Systems Fiscal Year Budget - 2015-16**

**REVENUES**

**Residential Consumption Estimated**

	<b>VCWS</b>	<b>ROWS</b>	
daily consumption (gals.)	5,200	12,500	
Est. daily cons./unit (gals.)	173	151	
Mthly. commodity cost (\$/1000gals.)	\$5.58	\$5.58	
Monthly commodity charge (\$)	\$29.02	\$25.21	
Monthly meter cost (1 EMU = X.XX)	\$17.15	\$17.15	
<u>Per unit monthly cost (\$)</u>	<u>\$46.17</u>	<u>\$42.36</u>	
Homes/units	30	83	
Estimated monthly revenue	\$1,385	\$3,516	
 Est. <u>Residential</u> yearly revenue	 <u>\$16,620.32</u>	 <u>\$42,192.75</u>	 <u>\$58,813</u>
	<b>Ctr. Sch.</b>	<b>Mem. Sch.</b>	
Monthly meter cost (15 EMU = \$X.XX)	\$257.25		
daily consumption (gals/day)	755		
Monthly commodity charge (\$)	\$126.39		
Monthly meter cost (20 EMU = \$X.XX)		\$343.00	
daily consumption (gals/day)		1,700	
Monthly commodity charge (\$)		\$284.60	
Estimated monthly revenue	\$383.64	\$627.60	
 Est. <u>Institutional</u> yearly revenue	 <u>\$4,603.73</u>	 <u>\$7,531.14</u>	 <u>\$12,135</u>
 Estimated total revenue 15/16	 \$21,224.05	 \$49,723.89	 \$70,948
 <u>Transfer From Annual Town Budget..... Village Water System</u>			<u>\$51,467</u>
 Proposed fiscal year Operating Budget			 \$122,415



WPCA Recommended Rates

Commodity +2.87%/Res.Mnthly Meter +\$5 /Inst.Mnthly Meter 4.1 X/Commodity3.5X

**East Hampton Water Pollution Control Authority**  
**Community Water Systems Fiscal Year Budget - 2015-16**

**REVENUES**

Residential Consumption Estimated

	<b>VCWS</b>		<b>ROWS</b>
daily production (gals.)	5,200		12,500
Est. daily cons./unit (gals.)	173		151
Mthly. commodity cost (\$/1000gals.)	\$5.74	2.87%	\$5.74
Monthly commodity charge (\$)	\$29.85		\$25.93
Monthly meter cost (1EMU = X.XX)	\$22.15	\$5.00	\$22.15
<u>Per unit monthly cost (\$)</u>	<u>\$52.00</u>		<u>\$48.08</u>
Homes/units	30		83
Estimated monthly revenue	\$1,560		\$3,991

Est. <u>Residential</u> yearly revenue	<u>\$18,719.28</u>	<u>\$47,891.40</u>	<u>\$66,611</u>
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	<b>Ctr. Sch.</b>		<b>Mem. Sch.</b>
Monthly meter cost (15 EMU = \$X.XX)	\$ 1,362.23	4.1X	
daily consumption (gals/day)	<b>755</b>		
Monthly commodity charge (\$)	\$455.05	3.5X	
Monthly meter cost (20 EMU = \$X.XX)			\$ 1,816.30 4.1X
daily consumption (gals/day)			<b>1,700</b>
Monthly commodity charge (\$)			\$1,024.62
Estimated monthly revenue	\$1,817.28		\$2,840.92 3.5X

Est. <u>Institutional</u> yearly revenue	<u>\$21,807.30</u>	<u>\$34,090.99</u>	<u>\$55,898</u>
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Estimated total revenue 15/16	\$40,526.58	\$81,982.39	\$122,509
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Transfer From Annual Town Budget..... Village Water System			<u>-\$94</u>
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Proposed fiscal year Operating Budget			\$122,415
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Exhibit A  
Balanced Budget w/o Town contribution  
**East Hampton Water Pollution Control Authority**  
**Community Water Systems Fiscal Year Budget - 2015-16**

**REVENUES**

**Residential Consumption Estimated**

	<b>VCWS</b>	<b>ROWS</b>	
daily consumption (gals.)	5,200	12,500	
Est. daily cons./unit (gals.)	173	151	
Monthly commodity cost (\$/1000gals.)	\$5.58	\$5.58	
Monthly commodity charge (\$)	\$29.02	\$25.21	
Monthly meter cost (1EMU = X.XX)	\$46.00	\$46.00	2.7X
Per unit monthly cost (\$)	\$75.02	\$71.21	
Homes/units	30	83	
Estimated monthly revenue	\$2,250	\$5,911	
<b>Est. Residential yearly revenue</b>	<b>\$27,005.76</b>	<b>\$70,927.35</b>	<b>\$97,933</b>
	<b>Ctr. Sch.</b>	<b>Mem. Sch.</b>	
Monthly meter cost (15 EMU = \$X.XX)	\$690.00		
daily consumption (gals/day)	755		
Monthly commodity charge (\$)	\$126.39		
Monthly meter cost (20 EMU = \$X.XX)		\$920.00	
daily consumption (gals/day)		1,700	
Monthly commodity charge (\$)		\$284.60	
Estimated monthly revenue	\$816.39	\$1,204.60	
<b>Est. Institutional yearly revenue</b>	<b>\$9,796.73</b>	<b>\$14,455.14</b>	<b>\$24,252</b>
<b>Estimated total revenue 15/16</b>	<b>\$36,802.49</b>	<b>\$85,382.49</b>	<b>\$122,185</b>
<b>Transfer From Annual Town Budget..... Village Water System</b>			<b>\$230</b>
<b>Proposed fiscal year Operating Budget</b>			<b>\$122,415</b>



*Town of East Hampton*  
Water Pollution Control Authority  
P.O. Box 218, 20 Gildersleeve Drive  
East Hampton, Connecticut 06424-0218  
Telephone (860) 267-2536, FAX (860) 267-9913

NOTICE OF PUBLIC HEARING

Water Pollution Control Authority  
Town of East Hampton  
July 7, 2015

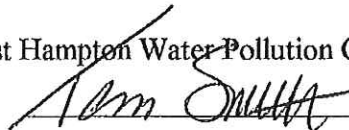
The Water Pollution Control Authority of the Town of East Hampton, Connecticut, will hold a public hearing pursuant to Chapter 102 of the Connecticut General Statutes at the Town of Colchester – Town of East Hampton Wastewater Treatment Plant, 20 Gildersleeve Drive, in East Hampton, Connecticut, on the 7th of July 2015, at 7:00 P.M. to consider whether or not the Town should adopt the proposed water budget and recommended water rates for the customers of the Village Center and Royal Oaks Water Systems. Copies of which are available at the Town Clerks office 20 East Main Street, East Hampton, CT 06424.

Affected property owners, electors and citizens qualified to vote in town meetings of the Town of East Hampton, Connecticut, are invited to attend and participate in such public hearing.

Dated at East Hampton, Connecticut, this 22nd day of June 2015.

East Hampton Water Pollution Control Authority

By



Its Public Utilities Administrator

# This Is Your Annual Report on Drinking Water Quality

## 2014 - Royal Oaks Water System

***Your Water is Safe to Drink:*** The Town of East Hampton and your WPCA is proud to present to you our 2014 Water Quality Report. Based on water quality results, your tap water meets or exceeds state and federal requirements for drinking water quality and is safe to drink.

***Water Quality Testing:*** In 2014 your Water Pollution Control Authority (WPCA) conducted over 1157 water quality tests to determine the presence of any radioactive, biological, inorganic, volatile organic, or synthetic organic contaminants. We test for more than 120 potential contaminants that could affect the quality of your drinking water. Samples for testing are taken at various locations throughout the water system, including:

- At the source wells
- During the treatment process, and
- In the distribution system after the water has been treated.

All of the samples are tested at laboratories certified by the State of Connecticut Department of Public Health (CTDPH) or by certified water distribution operators. In addition, the test results are submitted to the CTDPH Water Supplies Section monthly.

***Where Does Your Water Come From?*** All of the water for the Royal Oaks Water System comes from groundwater wells located within the Town of East Hampton.

***Protecting Water Sources:*** Sources of water can include reservoirs, lakes, and wells. As water travels over the surface of the land or through the ground, it can dissolve naturally occurring minerals and in some cases, radioactive material, and pick up substances resulting from the presence of animals or from human activity, including:

- Viruses and bacteria, which may come from septic systems, livestock, and wildlife.
- Salts and metals, which can be natural or may result from storm runoff and farming.
- Organic chemicals, which originate from industrial processes, gas stations, storm runoff, and septic systems.
- Radioactive substances, which can be naturally occurring.

To ensure your water is safe, the U. S. Environmental Protection Agency (EPA) prescribes limits on these substances in water provided by public water systems. Further, the WPCA has a source protection program to prevent contamination and unsanitary conditions in our aquifer recharge areas.

Water conservation measures are an excellent step in protecting our water supply. Such measures not only save the supply of our source water, but can also save you money by reducing your water and sewer bills. Always use water wisely.

The State of Connecticut Department of Public Health has completed a source water assessment for the groundwater wells that serve Town Center Water System. The completed assessment report is available for access on the Drinking Water Division's web site. The CTDPH site address is [www.dph.state.ct.us/BRS/Water/DWD.htm](http://www.dph.state.ct.us/BRS/Water/DWD.htm).

During the year the Town was notified by the CTDPH that ROWS exceeded the state drinking water standard for a Lead and Copper exceedance. This occurred for the compliance period January 1, 2012 to December 31, 2014. As a result, per state regulations, public notifications were issued to all customers with their November 15, 2014 water bills. As a result of this exceedance the East Hampton WPCA- Royal Oaks will perform Source Water Monitoring, one (1) sample at each entry point to the distribution system, for a period of six (6) months, for the period of January 1, 2015 thru June 20, 2015.

During the year the ROWS received a monitoring and reporting violation for the failure to test and report Nitrate and Nitrite at the entry point of the system. You received notice of this violation in your May 15, 2015 water bill.



## Water - Quality Data-ROWS

The table that follows shows only those contaminants that were detected in the water. Except for the previously reported lead and copper violation all the substances listed here are under the Maximum Contaminant Level (MCL), we feel it is important that you know exactly what was detected and how much of the substance was present in the water. The CTDPH requires us to monitor for certain substances less than once a year because the concentration of these substances do not change frequently. In most cases, the most recent sample data are included, along with the year in which the sample was taken.

### REGULATED SUBSTANCES

<u>Microbiological Contaminants</u>	<u>MCL</u> <u>Date</u>	<u>MCLG</u> <u>Water</u>	<u>Sample</u>	<u>Your</u> <u>of Contaminant</u>	<u>Violation</u>	<u>Typical Source</u>
Total Coliform Bacteria	0	0	2014	Absent	NO	Naturally occurring
Turbidity (NTU's)	5-NTU	0	2014	1.46	NO	Soil Runoff
<u>Inorganic Contaminants</u>						
Nitrate (measured as Nitrogen) (ppm)	10	10	2014	DNS	NO	Runoff from Fertilizer
Nitrite (measured as Nitrogen) (ppm)	1	1	2014	DNS	NO	Runoff from Fertilizer
<u>Volatile Organic Contaminants</u>						
TTHMs [Total Trihalomethanes] ppb	100	0	2014	4.1	NO	By-product of drinking water disinfection

#### Terms & Abbreviations

**MCL: Maximum Contaminant Level:** The highest level of a contaminant that is allowed in drinking water. MCLs are set as close to the MCLGs as feasible using the best available treatment technology.

**MCLG: Maximum Contaminant Level Goal:** The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.

**ppm:** One part per million (or milligrams per liter) is equivalent to one penny in \$10,000.00.

**ppb:** One part per billion (or micrograms per liter) is equivalent to one penny in \$10,000,000.00.

**pCi/l:** picocuries per liter (a measure of radioactivity)

**NTU:** Nephelometric Turbidity Units measure the clarity, or turbidity, of water.

**BDL:** Below Detection Limits.

Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers.

Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the Environmental Protection Agency's Safe Drinking Water Hotline (1-800-426-4791) or the East Hampton Water Pollution Control Authority 860-267-2536.



# This Is Your Annual Report on Drinking Water Quality

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- At the source wells
- During the treatment process, and
- In the distribution system after the water has been treated.

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***Where Does Your Water Come From?*** All of the water for the Town Center Water System comes from groundwater wells located within the Town of East Hampton.

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- Viruses and bacteria, which may come from septic systems, livestock, and wildlife.
- Salts and metals, which can be natural or may result from storm runoff and farming.
- Organic chemicals, which originate from industrial processes, gas stations, storm runoff, and septic systems.
- Radioactive substances, which can be naturally occurring.

To ensure your water is safe, the U. S. Environmental Protection Agency (EPA) prescribes limits on these substances in water provided by public water systems. Further, the WPCA has a source protection program to prevent contamination and unsanitary conditions in our aquifer recharge areas.

Water conservation measures are an excellent step in protecting our water supply. Such measures not only save the supply of our source water, but can also save you money by reducing your water and sewer bills. Always use water wisely.

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During the year the VCWS received a monitoring and reporting violation for the failure to test and report Nitrate and Nitrite at the entry point of the system and Lead and Copper in the distribution system. You received notice of both violations in your May 15, 2015 water bill.

On June 30, 2014 the State Department of Health conducted a Sanitary Survey of the water sources, treatment, distribution system, finished water storage, pumping facilities and controls, monitoring and reporting data system management and operation and operator compliance with DPH requirements. There were no Regulatory Violations at the time of the survey.



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<u>Microbiological Contaminants</u>	<u>MCL</u>	<u>MCLG</u>	<u>Year Sampled</u>	<u>Your Water</u>	<u>Violation</u>	<u>Typical Source of Contaminant</u>
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TTHMs [Total Trihalomethanes] ppb	100	0	2014	17.6	NO	By-product of drinking water disinfection

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Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers.

Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the Environmental Protection Agency's Safe Drinking Water Hotline (1-800-426-4791) or the East Hampton Water Pollution Control Authority 860-267-2536.

AUTHORIZING RESOLUTION OF THE  
EAST HAMPTON TOWN COUNCIL

Be it resolved that it is in the best interests of the Town of East Hampton to enter into contracts with the Department of Energy and Environmental Protection.

In furtherance of this resolution, Michael Maniscalco, the Town Manager, is duly authorized to enter into and sign said contracts on behalf of the Town of East Hampton. Michael Maniscalco currently holds the title of Town Manager and has held that office since July 1, 2012. The Town Manager is further authorized to provide such additional information and execute such other documents as may be required by the State or Federal Government in connection with said contracts and to execute any amendments, rescissions, and revisions thereto.

The Town Clerk is authorized to impress the seal of the Town of East Hampton on any such document, amendment, rescission, or revision.

I, Sandra Wieleba, the Town Clerk of the Town of East Hampton, do hereby certify this to be a true copy of the resolution duly adopted at the East Hampton Town Council meeting on June 23, 2015, and that it has not been rescinded, amended or altered in any way, and that it remains in full force and in effect.

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Sandra Wieleba, Town Clerk

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Date



## TOWN OF EAST HAMPTON Use of Emergency Alert System

### **Purpose:**

On July 1, 2013 the Connecticut General assembly passed CGS 9-369b which dictates the use of emergency notification systems to notify residents regarding referendum and elections. CGS 9-369b expressly limits the use of such taxpayer funded systems to notify residents about a referendum. Furthermore, this statute limits the notification activity to only the Chief Executive Officer of the Municipality as long as there is approval from both the Towns Attorney and the legislative body (Town Council).

No other entity within the Town of East Hampton shall use a taxpayer funded Emergency Notification system for any purpose other than a defined Emergency. Individuals who do make a non-emergency call in violation, as deemed by the Town Council, in accordance with the Town Council Ever bridge Emergency Alert policy will be reviewed in accordance with the Section (Determination) below and if determined in violation assessed a personal fine consistent with Section(Fine).

### **Definition:**

*Emergency notification system*- an electronic system that allows the operator to contact large groups of residents, who may or may not have signed up, with a single phone call. Some of these systems may be called Ever bridge or Alert now.

*Emergency*- A situation where human lives or property are in danger and/or an immediate change in daily operations that may significantly impact residents. (i.e. school closings, lock downs, bomb threats etc...)

### **Determination:**

The purpose of this section is to ensure that fines are only leveled at individuals who knowingly violate this local law and CGS 9-369b. To be found in violation of this section and qualified for a personal fine the accused must meet three of the following criteria.

1. A tax payer funded emergency notification system was used by the accused to notify a group of residents;
2. The emergency notification system was used by the accused without the express consent of the Town Council for a non-emergency 30 calendar days prior to a referendum;
3. The use of the emergency alert system caused a real or perceived attempt to persuade a vote;
4. The message sent through the emergency alert system was found to be in violation of CGS 9-369b.

### **Fine:**

Anyone found in violation of this fine shall pay \$2,000 to the general fund.



MEMORANDUM FROM THE LAW OFFICES OF  
HALLORAN & SAGE LLP  
225 Asylum Street  
Hartford, Connecticut 06103

TO:	Mike Maniscalco, Town Manager
FROM:	Duncan J. Forsyth & Kelly C. McKeon
DATE:	June 5, 2015
RE:	Town Ordinance Regulating Automated Communications Systems

You have requested that we provide a comprehensive review of Connecticut General Statute § 9-369b as it pertains to the potential implementation of a proposed Town ordinance entitled, "Use of Emergency Alert System." It is our understanding that the Town is considering an ordinance that attempts to prohibit any person or entity from using a "taxpayer funded Emergency Notification system for any purpose other than a defined Emergency." Anyone who uses such a system for a non-emergency, without the consent of the Town Council, thirty days before a referendum in violation of Conn. Gen. Stat. § 9-369b will be subject to a fine of \$2,000. The draft ordinance defines the term "emergency notification system" as "an electronic system that allows the operator to contact large groups of residents, who may or may not have signed up, with a single phone call." In short, the proposed ordinance attempts to limit use of automated communication systems to emergency messages during the time period of thirty days before a referendum.

**SHORT ANSWER:**

Based on a comprehensive review of Conn. Gen. Stat. § 9-369b as well as the Town's proposed ordinance, it is our conclusion that the Town's ordinance is inconsistent with the state statute. We are also concerned that such an ordinance potentially may violate protected free speech rights and impose jurisdiction over how a local board of education (BOE) opts to expend funds appropriated to it to fulfill its statutory obligations.

**ANALYSIS:**

**1. The use of a "community notification system."**

Connecticut General Statutes § 9-369b was amended two years ago by Public Act 13-247 to add and include what is now subsection (a)(3) of this statute. Subsection (a)(3) contains a general rule and an exception:

General Rule: No person may use "municipal funds to send an unsolicited communication to a group of residents regarding a referendum via electronic mail, text, telephone or other electronic or automated means for the purpose of reminding or



encouraging such residents to vote in a referendum.”

Exception: “Community notification systems” that are used at the direction of the chief elected official to send a notice to residents of the time and date of a referendum, a statement of the question on the ballot and any explanatory text that may have been authorized by the Town Council with the approval of the Town attorney are permitted.

Nothing in this statute differentiates between emergency and non-emergency notification systems. Instead, the legislature broadly defined a “community notification system” as “*a communication system* that is available to all residents of a municipality and permits any resident to opt to be notified by the municipality via electronic mail, text, telephone or other electronic or automated means of community events or news.” (emphasis added). Because nothing modifies “communication system,” the only appropriate interpretation of this definition is to read it broadly enough to encompass all types of communication systems – emergency and non-emergency systems alike.

While there is no established statutory definition of the word “communication,” Black’s Law Dictionary (10th ed. 2014) broadly defines this term as “the process of bringing an idea to another’s perception; the messages or ideas so expressed or exchanged.” Recognizing the broad scope of the word “communication,” the Connecticut legislature has demonstrated its ability to narrow its scope in other contexts: Conn. Gen. Stat. § 52-146r(2) defines “confidential communication”; Conn. Gen. Stat. § 16-1(18) defines “noncable communication”; Conn. Gen. Stat. § 54-41a(1) defines “wire communication.” If the legislature had intended to limit Conn. Gen. Stat. § 9-369b to “emergency communication,” as the Town’s proposed ordinance suggests, it could, and presumably would have done so.

Conn. Gen. Stat. § 9-369b(a)(4) specifically states: “Except as specifically authorized in this section (i.e. notification of time, place, specific referendum questions, explanatory text) no expenditure of state or municipal funds shall be made to influence any person to vote for approval or disapproval of any such proposal or question or to otherwise influence or aid the success or defeat of the referendum. The provisions of this subdivision (i.e. (a)(4)) shall not apply to a written, printed or typed summary of any official’s views on a proposal or question, which is prepared for any news medium or which is not distributed with public funds to a member of the public except upon request of such member.” Thus, a communications system, which is paid for with public funds, cannot be used in an attempt to influence a vote for approval or disapproval of a referendum question, or be used in a manner “to otherwise influence or aid” in the success or defeat of the referendum. To do otherwise may well violate the provisions of section 9-369b.

## **2. The Town’s proposed ordinance may well be inconsistent with the state law.**

The Town’s proposed ordinance suggests that the Town Council is the entity that would determine when the ordinance has been violated. One of the elements of a violation of the ordinance is that the “message sent through the emergency alert system was found to be in violation of CGS 9-369b.” However, the state statute empowers the State Elections



Enforcement Commission (SEEC) to enforce the law by imposing civil penalties after providing an opportunity for a hearing in accordance with chapter 54. Therefore, if the proposed ordinance attempts to reserve that determination to the Town Council, it would be incompatible with Conn. Gen. Stat. § 9-369b since the statute bestows enforcement power upon the SEEC. Local governmental bodies such as town councils are prohibited from enacting regulations that are inconsistent or incompatible with state law. *Manchester Envtl. Coal. v. P&Z Com'n of Manchester*, 41 Conn. Supp. 184 (1988); *Thoma v. P&Z Com'n of Canterbury*, 31 Conn. App. 643 (1993).

**3. The Town's proposed ordinance potentially violates the First Amendment as being overbroad.**

Under the constitutional "overbreadth doctrine," a statute that affects First Amendment rights is unconstitutional if it prohibits more protected speech or activity than is necessary to achieve a compelling government interest. It is a doctrine that permits courts to invalidate laws that advance legitimate state interests, but also prohibit or inhibit significant portions of protected speech. A law that is overbroad will be struck down where a substantial number of its applications are unconstitutional, judged in relation to the statute's plainly legitimate sweep. *Vermont Right to Life Comm., Inc. v. Sorrell*, 875 F.Supp.2d 376 (2012). In short, the doctrine is designed to ensure that lawmakers regulate speech-related activities with great precision in order to avoid the unnecessary risk of chilling free speech. *Sec. of State of Md. v. Munson*, 467 U.S. 947 (1984).

The Town's proposed ordinance is potentially subject to a first amendment attack based on the overbreadth doctrine, as the ordinance prohibits all speech through a notification system funded by the taxpayers for any purpose other than an emergency. Unless the Town has a clearly legitimate and compelling reason why all messages other than emergency messages are prohibited from being sent via a taxpayer funded notification system, the ordinance could potentially be found by a court to be vague and overbroad.

**4. A town government may not have jurisdiction over how a local BOE opts to spend monies budgeted to them to fulfill their statutory obligations.**

While a municipality has discretion with respect to the total annual operating appropriation to a local BOE, Conn. Gen. Stat. § 10-222 provides that "[t]he money appropriated by any municipality for the maintenance of public schools shall be expended by and in the discretion of the board of education." In other words, "all appropriations placed in the board's operating budget may be expended by the board of education within its discretion." *Bd. of Educ. of City of New Haven v. City of New Haven*, 237 Conn. 169, 180 (1996). The funds, however, must be used by the local BOE to implement its statutory obligations. *Waterbury Teachers Assn. v. Furlong*, 162 Conn. 390, 399-400 (1972). The statutory obligations for a local BOE are found in Conn. Gen. Stat. § 10-220, and require each local BOE to "maintain good public elementary and secondary schools, implement the educational interests of the state . . . and provide such other educational activities as in its judgment will best serve the interests of the school district." This broadly worded statutory mandate would seem to bestow discretion on a local BOE to

expend funds to allow communication with parents and students by an automated communication system for reasons other than emergency purposes, as open and efficient communication would likely be deemed fundamental to the successful day-to-day operations of a local school district.

**CONCLUSION:**

For the foregoing reasons, it is our opinion that the Town's proposed ordinance may well be inconsistent with the statute's unambiguous enforcement provision which empowers the SEEC to determine violations and issue civil penalties. We also point out that the ordinance has the potential to be found void for overbreadth and in violation of the separate jurisdictional function of a local BOE. Notwithstanding, should any person or entity attempt to use any communications system paid for with public funds "to influence or aid the success or defeat of" a referendum question, a complaint should be lodged with the SEEC so that a proper investigation of any such undertaking can take place.



## EAST HAMPTON SPECIAL REVENUE FUNDS POLICY on USE of SURPLUS FUNDS

### Definition

Special Revenue Funds are one the four classifications of *Non-major Governmental Funds*. These funds include:

Fund	Funding Source	Function	Type
Septage Disposal	Septage fees	Accumulation of resources for debt payment	1
Water System	User fees	Water operations	1
Public Safety	Fees	Police outside services	2
Culture & Recreation	User Fees	Recreation programs	2
School Cafeteria	Sale of lunches & grants	Cafeteria operations	1
Education	Federal & State grants	Education related programs	1
Public Works	Federal & State grants	Public works projects	1
Community Development	Federal grants	Town development programs	1
Civic & Human Svcs.	Federal & State grants	Civic & human services & capital related purposes	1
Beneficial Assessment	Assessments	Accumulation of resources for debt payments	1
WPCA Joint Facilities	Member town fees	Regional sewer facility operations	1
WPCA Operating	User fees	Sewer operations	1

Special Revenue funds are classified into two main types: (1) those whose source of funds are grants, bequests, donation, gifts or whose sources are restricted by local, state and federal guidelines, who are exempt from this Policy; and (2) those whose funds are generated from user fees which are subject to the provisions of this Policy.

Several of the Type (2) Special Revenue funds have accumulated excess or surplus funds annually or over several years.

## **Policy**

Departments subject to this Policy may request the use of excess funds to finance certain proposed capital projects which will reduce dependence on appropriations from general fund and lessen tax payer support. Such requests will be forthcoming by submission of request and need to the Town Manager who shall make his/her recommendation to the Board of Finance who shall make its recommendation to the Council for final approval.

On a quarterly basis, the Board of Finance shall review accumulated special revenue fund unrestricted balances for those funds designated Type (2) and where any unrestricted balance for a program exceeds 3.5% of the Police Patrol budget or 3.5% of the Parks & Recreation budget, shall recommend that such balance be transferred to the Capital Reserve Fund identified or reserved for future capital purposes relative to the source of the fund (i.e. police outside services for Public Safety). The recommendation must be approved by the Town Council before such transfer occurs.

Once transferred and deposited to the Capital Reserve Fund the Department must comply with the **Capital Reserve Fund Policy** prior to any expenditure.

Approved by the Board of Finance: June 16, 2014

Approved by the Town Council: September 9, 2014

Amended by the Town Council: September 23, 2014



<b>PARK AND REC PROGRAMS</b>					
<b>SPECIAL REVENUE</b>					
<b>ADULT &amp; YOUTH PROGRAMS</b>					
<b>FIVE YEAR HISTORY</b>					
<b>FISCAL YEAR 2009/2010</b>					
		<b>Balance</b>	<b>FY 2009/2010</b>	<b>FY 2009/2010</b>	<b>Balance</b>
		<b>at</b>	<b>Revenue</b>	<b>Expenditures</b>	<b>at</b>
		<b>June 30, 2009</b>	<b>at 6/30/10</b>	<b>at 6/30/10</b>	<b>at 6/30/10</b>
26001	Adult Programs	29,409	23,524	(27,453)	25,480
26002	Youth Programs	91,394	150,457	(166,508)	75,343
<b>FISCAL YEAR 2010/2011</b>					
		<b>Balance</b>	<b>FY 2010/2011</b>	<b>FY 2010/2011</b>	<b>Balance</b>
		<b>at</b>	<b>Revenue</b>	<b>Expenditures</b>	<b>at</b>
		<b>June 30, 2010</b>	<b>at 6/30/11</b>	<b>at 6/30/11</b>	<b>AT 6/30/11</b>
26001	Adult Programs	25,480	19,149	(21,967)	22,662
26002	Youth Programs	75,343	151,709	(140,555)	86,497
<b>FISCAL YEAR 2011/2012</b>					
		<b>Balance</b>	<b>FY 2011/2012</b>	<b>FY 2011/2012</b>	<b>Balance</b>
		<b>at</b>	<b>Revenue</b>	<b>Expenditures</b>	<b>at</b>
		<b>June 30, 2011</b>	<b>at 6/30/12</b>	<b>at 6/30/12</b>	<b>at 6/30/12</b>
26001	Adult Programs	22,662	15,920	(18,080)	20,502
26002	Youth Programs	86,497	83,481	(110,511)	59,468
<b>FISCAL YEAR 2012/2013</b>					
		<b>Balance</b>	<b>FY 2012/2013</b>	<b>FY 2012/2013</b>	<b>Balance</b>
		<b>at</b>	<b>Revenue</b>	<b>Expenditures</b>	<b>at</b>
		<b>June 30, 2012</b>	<b>at 6/30/13</b>	<b>at 6/30/13</b>	<b>at 6/30/13</b>
26001	Adult Programs	20,502	14,898	(23,261)	12,139
26002	Youth Programs	59,468	140,517	(172,087)	27,898
<b>FISCAL YEAR 2013/2014</b>					
		<b>Balance</b>	<b>FY 2013/2014</b>	<b>FY 2013/2014</b>	<b>Balance</b>
		<b>at</b>	<b>Revenue</b>	<b>Expenditures</b>	<b>at</b>
		<b>June 30, 2013</b>	<b>at 6/30/14</b>	<b>at 6/30/14</b>	<b>at 6/30/14</b>
26001	Adult Programs	12,139	23,225	(22,909)	12,455
26002	Youth Programs	27,898	152,275	(158,091)	22,081
tshulman - 5/27/15					





## Purpose

In recognition that buildings, infrastructure, and major equipment are the physical foundation for providing services to the residents of the Town of EAST HAMPTON, a multi-year Capital Improvement Program (CIP) is prepared and reviewed annually. The purpose of the CIP is to budget for the acquisition, replacement or renovation of major capital/fixed assets. These items are generally not of a recurring nature and not included in the regular operating budget process. Careful planning during this process is critical to the procurement, construction, and maintenance of capital assets to meet the needs and activities of the Town. The General Fund, through the annual operating budget, is the primary funding source for the CIP and therefore plays an integral role in the development of the program. Proper planning and funding will mitigate budget fluctuations year over year.

A comprehensive capital plan will help ensure the future financial discipline and funding stability of the Town and systematically provide efficient delivery of public services to citizens and businesses.

Capital/Fixed Assets are categorized as follows:

- Land
- Land Improvements
- Buildings and Improvements
- Machinery and Equipment
- Infrastructure

The following Capital/Fixed Asset items are to be included in the Town's annual operating budget:

- Fixed assets that cost less than \$7,500 and are of a recurring nature and acquired each year.

General Fund capital purchases between \$5,000 and \$7,500 shall be budgeted for and separately presented in the Town's annual operating budget. A separate ORG code (i.e. department) will be established to track the expenditures. Example: 01890110 (Town Manager) 01890211 (Police Department). Within each department there will be an object code to identify the type of purchase (i.e. 5741 – Machinery & Equipment).

## Definitions

1. The **Capital improvement program** is defined as a plan for capital expenditures over a multi-year period to meet identified improvements in capital assets.
2. The **Capital Budget** is the first year of a five year plan for capital expenditures to be incurred over a given fiscal year from funds appropriated through the annual budget process for projects scheduled in the same year.
3. **Capital Equipment** is defined as any item that has an expected life of 3 (or more) years or more and a purchase price in excess of \$5,000. Items costing less than \$5,000 and lasting less than five (5) years are to be purchased from material and supply accounts. The purchase price includes any costs of acquisition or transportation of the item or other costs associated with the installation or placing it into service. The expected life for a piece of equipment is that period of time for which it will be useful in carrying out operations without major repair to its physical condition. Generally, capital equipment includes, but is not limited to, furniture and fixtures, machinery and motor vehicles.
4. **Capital Projects** are the improvements that make up the capital budget. Each project has a specific purpose, justification and cost. Projects propose physical improvements in different elements of the Town's infrastructure. Improvements include but are not limited to: construction, reconstruction, rehabilitation, modification, renovation, expansion, replacement, extension of streets, bridges, buildings, sidewalks, playgrounds, lights and acquisition of land, buildings with associated relocation, demolition and improvements such as landscaping, fencing and paving.
5. **Sinking Fund** is defined as an account composed of the accumulation of sums of money set aside periodically to provide a definite amount for a specific purpose at a certain future date. Annual calculations are equal and are calculated by dividing the total amount required by the number of years during which the figure must accumulate.

## **Criteria**

The following Capital/Fixed Asset items are to be included for consideration in the Town's Capital Improvement Program (CIP):

- The acquisition of and improvements to assets that cost \$7,500 or more and,
- The Capital/Fixed Assets, or improvements, that have an anticipated life expectancy of five years or more. Most non-recurring major expenditures are the result of the Town's acquisition of capital items that form the physical foundation for municipal services such as land, buildings, infrastructure improvements, machinery and equipment. However, there can be major expenditures for non-capital items that can be anticipated on a recurring and periodic basis and require significant funding. In addition to the above items, the following proposed expenditures may be considered in the CIP, although they may not constitute capital/fixed assets with useful lives of five years or more.
- Property revaluation required by the Connecticut General Statutes
- Technology programs and systems
- Sinking fund contributions
- 

These items and other similar items that may require significant funding of \$7,500 or more, and are not anticipated to be acquired each year, may be appropriate to be included in the CIP process.

The annual road paving program can be anticipated on a recurring basis; however, it requires funding of significantly more than \$7,500 and should be included in the CIP process.

This CIP provides for a five-year plan of acquisition, renovation, replacement and construction of the items included in the capital budget and includes a planning, budgetary and financing process.

Assets in excess of \$7,500 not precluded from acquisition in the general fund or other special revenue fund.

## **CAPITAL IMPROVEMENT COMMITTEE**

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### ***MEMBERSHIP***

The Capital Improvement Committee shall be composed of two (2) members of the Town Council, two (2) members of the Board of Finance and one (1) member of the Board of Education with minority representation. Committee assignments shall be determined by the board chair. The Town Finance Director, Town Manager and Superintendent of Schools shall be ex-officio Committee staff members without the right to vote.

### ***ROLES & RESPONSIBILITIES***

The Committee shall study proposed capital projects and improvements involving major non-recurring tangible assets and projects which: 1) are purchased or undertaken at intervals of not less than five years; 2) have a useful life of at least five years; and 3) cost over \$7,500. All town departments, boards and committees, including the Board of Education, shall, by September 1<sup>st</sup> of each year, give to the Town Manager who shall forward to the Committee information concerning all anticipated projects requiring action during the ensuing five years. The Committee shall consider the relative need, impact, timing and cost of these expenditures and the effect each will have on the financial position of the town. No appropriation shall be voted for a capital improvement requested by a department, board or commission unless the proposed capital improvement is considered by the Committee.

The Committee shall prepare an annual report recommending a Capital Improvement Budget for the next fiscal year, and a Capital Improvement Program including recommended capital improvements for the following four fiscal years. The report shall be submitted to the Board of Finance for its consideration and recommendation. The Board of Finance shall submit its recommended Capital Budget to the Town Council for approval (see Exhibit A).

Such Capital Improvement Program, after its adoption, shall permit the expenditure on projects included therein of



sums from departmental budgets for surveys, architectural or engineering advice, options or appraisals; but no such expenditure shall be incurred on projects which have not been so approved by the town through the appropriation of funds in the current year or in prior years, or for preliminary planning for projects to be undertaken more than five years in the future.

The Committee's report and the Town Council's recommended Capital Budget shall be published and made available in a manner consistent with the distribution of the annual Town budget report. The Committee shall deposit its original report with the Town Clerk.

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#### **CAPITAL IMPROVEMENT PROGRAM TIMING/SCHEDULE**

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As part of the annual budget process, the CIP will be prepared, presented and acted upon in accordance with the following schedule:

No later than September 1	Department, board or agency shall submit a proposed five year CIP to the Town Manager
No later than October 1	Town Manager shall provide a five year planning document to the Capital Improvement Committee summarizing department proposals for capital improvements, a recommendation of items to be included in the CIP, project priorities for the following fiscal year and proposed method/sources of funding for all recommended projects.
On or about November 1	The Capital Improvement Committee shall receive, review and recommend the 5 year CIP. The plan will then be forwarded to the Board of Finance
On or about December 1	Board of Finance shall recommend CIP to Town Council
No later than January 1	Town Council adopts the CIP for the following fiscal year
Quarterly CIP meetings	The Capital Improvement Planning Committee shall meet at least quarterly to review and discuss current and proposed capital projects.

The Town Manager will provide the Town Council periodic CIP status reports throughout the year and present detailed project status reports or design plans on an as needed basis in accordance with the applicable project schedule.

#### **IDENTIFICATION OF NEEDS**

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Capital Improvement items are considered on the basis of need and value to the community. Annually, each department, board or agency shall submit a proposed five year CIP to the Town Manager in accordance with the CIP schedule. Requested items shall include acquisition of capital assets, new construction, major renovations and improvements to municipal facilities, purchase of machinery and equipment and other items that satisfy the CIP criteria. Capital improvement proposals received outside of the formal CIP process from departments, citizens, agencies or organizations shall be forwarded to the Town Manager for review and recommendation to the Capital Improvement Committee, Board of Education, Board of Finance and Town Council as applicable.

Items that are to be included in the Capital Improvement Program include the following with an estimated cost of \$7,500 or more and have a useful life of not less than five years:

- Purchase of Land and Development Rights
- Construction of New Buildings



- Land and Building Improvements and Renovations
- Machinery and Equipment
- Infrastructure Improvements (streets, sewers, sidewalks, etc.)
- Vehicles and Construction equipment
- Feasibility Analysis/Design/Cost estimates and other professional services relative to anticipated major projects
- In addition to the above items, the CIP may include certain recurring expenditures/projects that due to their nature and anticipated cost are best appropriated through the CIP (e.g. revaluation or major software acquisition)

All Capital Projects under consideration must be submitted on forms provided by the Finance Department and include the following detail and descriptive information:

- 1) **PROJECT TITLE:** Enter the title best describing the project. Be concise, but as descriptive as possible.
- 2) **SUBMITTED BY:** Enter the Department, and division, if applicable.
- 3) **CONTACT PERSON:** Enter the name and telephone number of the person who can best answer detailed questions about this project.
- 4) **PROJECT DESCRIPTION:** Give a full, detailed description of the project. The description must contain enough information to allow for a detailed project cost estimate. If costs are estimated to exceed \$250,000 see "Estimated Costs" on page 5. If the project is construction of a building, specify the following: size; use; type of building; utility type; etc. If it is a street project, specify the following: length; width; whether it is new construction, reconstruction or resurfacing; whether it involves new signals, sewers, and/or sidewalks; etc. Photos and other documentation should also be submitted if they provide relevant information. Any project with insufficient information to develop a cost estimate will not be considered.

5) **PROJECT JUSTIFICATION:** Support the need for this project. Some of the questions you might want to consider below:

- Does the project meet established standards, codes or mandates?
- Does the project address a Town Council policy initiative or Board of Education goal?
- Does it address a health, fire, safety or security concern?
- Does it serve a segment of the community not currently served?
- Does it foster private investment? How much?
- Does it create jobs? How many? What type?
- Does it support economic development (i.e. tourism)?
- Does the project require additional staffing or operational increases (e.g. grant writer)?
- Does the project create any revenue?
- Do grant funds or other opportunities exist to offset costs?
- What will happen if the Town does not undertake this project?

Use the above and as a guide in submitting justifications.

6) **PROJECT LOCATION AND SERVICE AREA:** Give a brief description of the community impact the project will have as well as the area it will serve.

7) **SIGNATURE:** The Department Director must sign the bottom of the form and date it. The signature indicates that the director approves of the submission of the project and agrees with the information provided.

## Estimated Costs

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Costs shall be estimated for all items requested as part of the five-year Capital Improvement Program. Costs for items requested in years two through five shall anticipate an escalation rate to be determined by the Town Manager and Finance Director at the beginning of the CIP process.

The steps for major capital projects in the CIP, those estimated to exceed \$250,000, may be required by the Town Manager and will generally include the following:

- A. Evaluation/feasibility phase, as necessary

- B. Preliminary design and cost estimating phase
- C. Final Design and construction

Subject to the specifics of the project, funding for steps A and B may be combined in the initial request. Cost estimates should include preliminary design fees, final design fees, architectural fees, construction management fees, construction costs, acquisition costs, contingency, escalation, legal and financing fees, including short term interest, and any other costs applicable to the project. The scope and estimated costs of in kind services shall be identified and presented along with the initial cost estimates for the project.

## Funding

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The Town Council, as part of the annual operating and capital budget process, will review the capital equipment and capital projects included in the CIP as recommended by the Board of Finance. The Town Manager and Finance Director will develop a recommended financing plan, with options, based on total project costs, cash flow, projected method(s) of financing the projects, Capital Reserve fund projections, mill rate and debt service impact on future operating budgets. The Town Council shall review these projections when developing project priorities and the recommended capital program for the following year. The goal is to effectively balance the total of the annual Capital Reserve Transfer and Debt Service requirements to minimize fluctuations in the mill rate in accordance with established guidelines set forth in this document.

An annual financing plan for the multi-year capital improvement plan is critical to the CIP process. Factors to be considered shall include:

- Anticipated revenue and expenditure trends and the relationship to multi-year financial plans
- Cash flow projections of the amount and timing of the capital improvement projects
- Compliance with all established financial policies
- Legal constraints imposed by Town charter or State statute
- Evaluation of various funding alternatives
- Reliability and stability of identified funding sources
- Evaluation of the affordability of the financing strategy, including debt ratios, future budgets and mill rate.

The Capital Improvement Program shall generally be funded as follows:

- A. Capital Reserve Fund** – The Town will use the Capital Reserve Fund as the primary funding source for capital projects to be funded on a pay as you go basis. The Capital Reserve Fund is primarily funded through an annual appropriation from the General Fund.

Based on factors referenced herein the Town Council shall consider as a general guideline a minimum annual appropriation and transfer to the Capital Reserve Fund in an amount equivalent to three percent (3%) of the current adopted operating budget rounded to the next highest \$5,000. In no event shall the annual general fund contribution exceed 2 mills.

Annually the Board of Finance will review the General Fund unassigned fund balance, Capital Reserve unassigned fund balance and other funding requirements and may recommend a transfer of additional funds to the Capital Reserve Fund. The goal of the Town is to maintain an unassigned balance in the Capital Reserve Fund of an amount equivalent to \$1,000,000, except as needed to meet emergencies. The reserve policy will be reviewed annually and adjusted accordingly as part of the CIP process. Factors to be considered include evaluation of the projects in the multi- year plan, the method of financing and their effect on projected mill rates.

- B. Capital Initiatives Fund** – This fund is primarily used to account for the construction and acquisition of major capital assets. Bond proceeds are the major funding source for projects accounted for in the fund.



- C. **Donations/Grants/Loans** – Anticipated contributions from various organizations or groups towards certain Capital Improvement projects, grants and loans will be used in financing the CIP to determine final estimated net cost to the Town.
- D. **General Obligation Bonds** – Projects that are anticipated to have a significant expenditure of funds should be considered for referendum and funded through the issuance of general obligation bonds that shall be authorized and issued in accordance with Connecticut statutes and the Town of East Hampton Charter. Projects funded through the issuance of debt must be approved by the Board of Finance, Town Council and Town Meeting. The Town Council may elect to have a project voted on at referendum in lieu of a Town Meeting.

## **AMENDING THE CAPITAL IMPROVEMENT PROGRAM**

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### **Revisions to Approved CIP Projects:**

Periodically there will be changes made to the approved CIP Projects that will require extra funding. This could arise from unanticipated inflation, change from the original project description or bids that may push up the original cost estimate. These additional funding requests will be handled as follows:

- 1- The Department or authorized entity responsible for the Project makes an initial determination that additional funds are required for a specific purpose.
- 2- The Department Head submits a written request for additional funding to the Town Manager. This request will include the original Finance Department CIP request form and will include detailed cost differences in the original Project and the revised Project.
- 3- This additional funding can be approved by the Town Manager providing the additional costs do not exceed the greater of \$7,500 or 10% of the original Project cost.
- 4- Should the Project Cost increase be more than \$7,500 or 10% of the original Project cost then the Project must go back to the CIP Committee for their review and approval.

### **Funding New and Emergency CIP Projects:**

Periodically there will be projects that arise suddenly or on an emergency basis. These projects may be recommended by employees, citizens, and members of boards or commissions.

- 1- The Department responsible for the project makes an initial determination that funds are required for a specific purpose.
- 2- The Department Head submits a written request for funds to the Town Manager. This written request is completed on the Finance Department's CIP Fund request form.
- 3- The Town Manager will make a recommendation to the CIP Committee. The Capital Improvement Committee will then make a recommendation that is forwarded to the Board of Finance.
- 4- The Town Manager will prepare a report and resolution for approval from the Board of Finance, Town Council, and Board of Education if needed. This report will be placed on the agenda of the next regular scheduled meeting of the Board of Finance and Town Council, and Board of Education if needed. Emergency meetings will be scheduled if necessary.

## **ACCOUNTING PROCEDURES**

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After all of the projects have been approved by Town Council the Finance Department will begin the process of establishing accounts for the approved programs. All appropriations will be established based upon the approved project cost and prepared by using the line item criteria established by the cost estimate forms. In addition, the

Finance Department will be responsible for the following:

- 1) Maintaining grant agreements;
- 2) Maintaining audit records;
- 3) Receiving and recording revenues;

- 4) Distributing payments;
- 5) Reconciling the general ledger;
- 6) Reconciling bank statements and investments; and
- 7) Monitoring department performance.

The Department Director or Project Manager will be responsible for the following:

- 1) Creating monthly project status reports;
- 2) Creating and maintaining project timetables;
- 3) Explaining project changes and/or cost overruns;
- 4) Providing updates to the Town Council;
- 5) Presenting projects to committee and the Town Council;
- 6) Completing data detail for the Finance Department; and
- 7) Estimating costs and/or staffing requirements.

Approved by the Town Council: September 9, 2014

## East Hampton Hometown Heroes 2015

Town Council members will nominate individuals who have demonstrated selfless and altruistic behavior which contributes to the betterment of those around them and/or of the Town. On a wider scope, a person can be nominated because of their service to the community, their personal contribution to their community and family, or their continued personal fight for a better life for all who surround them.

A celebration of those 7 who are chosen will take place in September. Friends and families will be invited. Refreshments will be provided.





## *Economic Development Survey*

This survey was developed by the East Hampton Economic Development Commission (EDC) in an effort to identify the what, where, when and how residents of the Town of East Hampton, CT would like their community developed. The following is a 20 question survey to help us determine how you view the future development of East Hampton, followed by a demographics section. Your answers will be anonymous. Please complete the survey and return it to the Town Manager's Office at 20 East High Street, East Hampton, CT 06424 with the attached application to be entered to win a local business prize.

1. How satisfied are you with the selection of current retail businesses and services in the Town of East Hampton, would you say you are: (Circle one)

Very satisfied  
Somewhat satisfied

Somewhat dissatisfied  
Very dissatisfied

2. Think about the retail shopping and eating opportunities now available in the Town of East Hampton. What TYPE of additional shopping or eating opportunities would you most like to see in East Hampton?

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3. If any, what specific BRAND of that business would you most like to see in the Town of East Hampton?

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4. How often do you do retail shopping in the Town of East Hampton? Would you say (Circle one)

Always  
Most of the time

Occasionally  
Never

5. When you do shop in the Town of East Hampton, is the main reason that: (Circle one)

The stores are close to home  
Easy parking

Close to your work  
Lower prices

There is a wide variety of goods  
Support Local business

6. When you shop **outside** of the Town of East Hampton, is the main reason: (Circle one)

The stores are close to work

There is a wide variety of goods

Easy parking

Lower prices

Some other reason (Describe below)

7. How often do you shop for **services** in The Town of East Hampton, would you say:

Always

Most of the time

Occasionally

Never

8. What is the best thing about the Town of East Hampton? (Rate 1-9)

Small town/quaint/quiet/clean

Friendly nice people

Community/neighborhood atmosphere

Safe/good police protection

Family/children friendly

Location and convenience

Good schools

Low taxes

Grew up in East Hampton, long history in the town/ family in the town

Other \_\_\_\_\_

9. Where did you make your last purchase of more than \$200 other than for an automobile?

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10. Would you welcome the EDC to pursue a large retail store for the Town of East Hampton?

Yes / No / Maybe

11. How about a large industrial facility?

Yes / No / Maybe

12. How about a large housing subdivision?

Yes / No / Maybe

13. Which of the following statements comes closest to your own opinion: (Circle one)

A) The Town of East Hampton needs to increase business development in order to survive; OR

B) Business development is a threat to the character of the town OR,

C) Would you say that you fall somewhere in the middle?

D) Other: \_\_\_\_\_

14. Below is a list of things that people have suggested that the East Hampton town government might do about economic development. (Rate them 1-4 with one being the best)

Office Development \_\_\_\_\_

Retail Development \_\_\_\_\_

Industrial Development \_\_\_\_\_

Residential Development \_\_\_\_\_

15. There are various types of initiatives that the town could pursue in order to create economic development. (Rate them 1-4 with one being the best)

Tax incentives \_\_\_\_\_

Set aside funds for Infrastructure improvements \_\_\_\_\_

Marketing plan to recruit businesses \_\_\_\_\_

Zoning changes \_\_\_\_\_

16. Would you support a limited public water system for the Town of East Hampton?

Yes / No / Maybe

17. Do you have any other comments:

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### DEMOGRAPHIC INFORMATION

**GENDER:** (Circle one) Male / Female

**HOUSING:** (Circle one) Own / Rent / Live with relatives

**AGE:** (Circle one) 18-20 21-30 31-40 41-50 51-60 61-70 71-80 81-90 91+

**How many years have you lived in East Hampton CT?** \_\_\_\_\_

**Household income:** \$ \_\_\_\_\_



## ***RAFFLE FORM***

To be eligible to win a prize in the local business raffle the following criteria must be met:

1. Live in East Hampton, CT
2. Over 18 years old
3. Completed and turned in the Economic Development Survey
4. Completed and turned in the raffle application

If you meet the above requirements you can have a chance to win:

Prize 1.

Prize 2.

Prize 3.

Prize 4.

Prize 5.

Return this page with your completed survey and you will be entered in a chance to win one of the above prizes.

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Email: \_\_\_\_\_

Phone \_\_\_\_\_

SURVEY POLICY  
Town of East Hampton

AGENDA  
ITEM # 11b

Approved by the Town Council: January 29, 2015

**Purpose:** The responsibility for oversight of the use of taxpayer dollars rests with the Town Council. Furthermore, it is the job of the Town Council to set policy and direction for the Town of East Hampton. The Town Council would like to ensure all actions and efforts of the Town are consistent and focused in moving the Town in a consistent direction.

**Policy:** All surveys developed by Boards, Commissions, Agencies and Town Staff must be reviewed and approved by the Town Council to ensure that they conform with the Town Council's Goals and Objectives. Furthermore, the method for dissemination must also be approved by the Town Council in order to ensure fairness, impartiality and cost effectiveness.

**Procedure:**

1. All surveys developed by any department, committee, commission, agency, board or department must be forwarded in their final form to the Town Manager's office with a written request for council review. Satisfaction and comment surveys are excluded.
2. The Town Manager's office will ensure that the survey will be placed on the next Council agenda and provide copies of the survey to the Council.
3. At the Council meeting, the Council will review the survey to ensure consistency with Council goals and objectives and where applicable, send feedback and recommendations for changes to the originating entity.
4. When the Council is comfortable with the content of the survey they will make a motion to approve, amend or disapprove and vote. The vote will be recorded in the meeting minutes of the Council.
5. If approved, the Council will then make a motion with a recommendation for method of dissemination. The recommendation for method of dissemination will direct the originating entity whom the target audience should be, how they are to disseminate to that target audience and recommend a funding source, if necessary.



6. Once both actions above have been taken by the Council, they will be communicated back to the originating entity by the Town Manager's office and the originating entity will administer the survey consistent with those actions.

**Definitions:**

*Survey-* Any tool used to collect target audience input on a project, idea, goal or other issue.

*Method for dissemination-* to include but not limited to newspaper, internet and mailers. Also includes active dissemination where there is assurance that every individual in the target audience received a copy or passive dissemination where a copy is offered but is not directly provided to each individual in the target audience.

*Originating entity-* refers to the Board, Commission, Agency, Department and/or committee that is responsible for the authorship of the survey.

*Target audience-* a group of people identified for the administration of the survey. Could include the entire Town or a group of participants in a program.

**Sirois, Cathy**

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**From:** Maniscalco, Mike  
**Sent:** Friday, June 19, 2015 9:26 AM  
**To:** Sirois, Cathy  
**Subject:** FW: Pocotopaug algae

**Michael Maniscalco, MPA**

Town Manager  
Town of East Hampton  
20 E. High St.  
East Hampton CT, 06424

860-267-4468

[Please note the change in email to: mmaniscalco@easthamptonct.gov](mailto:mmaniscalco@easthamptonct.gov)

Follow us on Twitter @EHTown\_manager

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**From:** GEORGE KNOECKLEIN [mailto:knoecklein@sbcglobal.net]  
**Sent:** Tuesday, June 16, 2015 9:49 AM  
**To:** Maniscalco, Mike; Thad King  
**Subject:** Pocotopaug algae

Hi Mike /Thad

This is the first of what I expect to be regular communications to you both throughout the summer about the condition of lake each time we visit it.

We looked at the lake yesterday and collected a grab sample for algae from the beach for id and enumeration.

Clarity is still good at about 2 meters (the last time we were on the lake to measure clarity properly was June 2 when we had 2.3 meters)

There are cyanobacteria --all Anabaena-- in the lake at about 15,000 cells per mL. still low numbers at this point and not of a concern lake wide but these cells could easily float to the surface where they can be blown to shore and form a scum - probably what happened at Squantz Pond earlier this month.

I expect the cell numbers to keep increasing in the coming months.

If you have any questions please let me know

George